

In re: Appln No. 09/358,280  
Atty Docket: 6030-021 (MISTY-52064)  
Customer No. 29,335

**Listing of claims:**

Claims 1-4. (Canceled).

Claim 5. (Currently Amended) A misting apparatus for cooling a local area in the vicinity of a person by evaporative cooling, comprising:

a pressurizable container for supplying water, said container having an inlet for filling said pressurizable container;

means for pressurizing the pressurizable container by introducing a gas to the pressurizable container;

a restrictive valve directly coupled to the inlet of the pressurizable container;

a water conduit having a proximal and distal end, the proximal end connected to the [pressurizable container]restrictive valve;

a spray nozzle secured to the distal end of the water conduit and in fluid communication with said water conduit, said spray nozzle capable of delivering an evaporative cooling mist of water in the vicinity of a person for cooling the person when pressurized water is supplied to said spray nozzle;[ and]

wherein [a]the restrictive valve [having]has a closed position and an open position[, said valve connected to said water conduit for controlling flow of water to said spray nozzle], whereby pressurization of said pressurizable container forces an uninterrupted spray of water from said pressurizable container out through said spray nozzle on said conduit when said restrictive valve is in said open position.

Claim 6. (Canceled)

Claim 7. (Original) The misting apparatus of claim 5, further comprising:

means secured to the misting apparatus for attaching the misting apparatus to a person's waist.

In re: Appln No. 09/358,280  
Atty Docket: 6030-021 (MISTY-52064)  
Customer No. 29,335

Claim 8. (Currently Amended) The misting apparatus of claim 5, wherein said pressurizable container further comprises means for sealing said inlet for filling the pressurizable container.

Claim 9. (Currently Amended) The misting apparatus of claim 5, wherein said means for pressurizing the pressurizable container comprises a manual piston pump.

Claim 10. (Currently Amended) The misting apparatus of claim 5, wherein said pressurizable container contains a mixture of ice and water.

Claims 11-17 (Canceled)

Claim 18. (Currently Amended) An apparatus for generating an evaporative mist, useful for evaporatively cooling an individual, comprising:

a pressurizable container for holding fluid for delivery, wherein said pressurizable container contains an inlet for filling said pressurizable container.

a manual pump physically connected to the pressurizable container capable of pressurizing the pressurizable container by introducing a gas into the pressurizable container[.];

a means for delivering fluid as a continuous evaporative mist[.]; and

a means for controlling the emission of evaporative mist, wherein said means comprises a restrictive valve directly coupled to the inlet of the pressurizable container.

Claim 19. (Currently Amended) The apparatus for generating an evaporative mist according to claim 18, further comprising:

a fluid conduit, the conduit being in fluid communication with the means for controlling the emission of evaporative mist and pressurizable container[.]; and

a means for hands-free directing of the means for delivering fluid as a continuous evaporative mist towards the individual creating an evaporative cooling effect.

In re: Appln No. 09/358,280  
Atty Docket: 6030-021 (MISTY-52064)  
Customer No. 29,335

Claim 20. (Previously Amended) The apparatus for generating an evaporative mist according to claim 18, further comprising:

a means for securing the pressurizable container to the individual for hands-free carrying of the apparatus.

Claim 21. (Previously Amended) The apparatus for generating an evaporative mist according to claim 18, wherein the means for delivering fluid as a continuous evaporative mist comprises a nozzle having an aperture.

Claims 22. (Canceled)

Claim 23. (Previously added) The misting apparatus of claim 5, wherein said water conduit comprises a first water conduit within said container and a second water conduit connected to said first water conduit, said second water conduit having a distal end;

wherein said spray nozzle is secured to the distal end of the second water conduit and is in fluid communication with said second water conduit, and

wherein said restrictive valve is connected to said second water conduit.

Claim 24. (New) A misting apparatus for cooling a local area in the vicinity of a person by evaporative cooling, comprising:

a pressurizable container for supplying water, said container having an inlet for filling said pressurizable container;

a non-removable means for pressurizing the pressurizable container by introducing a gas to the pressurizable container;

a water conduit having a proximal and distal end, the proximal end connected to the pressurizable container;

In re: Appln No. 09/358,280  
Atty Docket: 6030-021 (MISTY-52064)  
Customer No. 29,335

a spray nozzle secured to the distal end of the water conduit and in fluid communication with said water conduit, said spray nozzle capable of delivering an evaporative cooling mist of water in the vicinity of a person for cooling the person when pressurized water is supplied to said spray nozzle; and

a restrictive valve having a closed position and an open position, said valve connected to said water conduit for controlling flow of water to said spray nozzle, whereby pressurization of said pressurizable container forces an uninterrupted spray of water from said pressurizable container out through said spray nozzle on said conduit when said restrictive valve is in said open position.